

# ReedSmith

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December 27, 2006

U.S. Patent and Trademark Office  
Customer Window, Mail Stop Amendment  
Randolph Building  
Alexandria, VA 22314

Re: U.S. Patent Application Serial No. 10/026,911  
Filed: December 27, 2001  
For: *Allergy Vaccines and Their Preparation*  
Inventors: Focke, et al.  
Our Ref.: 966927.00005

Dear Sir/Madam:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office:

1. Supplemental Information Disclosure Statement;
2. Nine (9) cited references;
3. Information Disclosure Statement USPTO Form 1449;
4. Check No. 119322 in the amount of \$180.00; and
5. One return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

Very truly yours,

Chris E. Aniedobe

CEA:rcc

Enclosures

LONDON ♦ NEW YORK ♦ LOS ANGELES ♦ SAN FRANCISCO ♦ WASHINGTON, D.C. ♦ PHILADELPHIA ♦ PITTSBURGH ♦ OAKLAND  
MUNICH ♦ PRINCETON ♦ FALLS CHURCH ♦ WILMINGTON ♦ NEWARK ♦ MIDLANDS, U.K. ♦ CENTURY CITY ♦ RICHMOND ♦ LEESBURG

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Att'y Dkt. No.: 966927.00005  
U.S. App. No.: 10/026,911

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

FOCKE, et al.

Appl. No.: 10/026,911

Filing Date: December 27, 2001

Title: Allergy Vaccines and Their Preparation

Art Unit: 1644

Examiner: SZPERKA, Michael

Atty. Docket: 966927.00005

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

U.S. Patent and Trademark Office  
Customer Window, Mail Stop Amendment  
Randolph Building  
Alexandria, VA 22314

Sir/Madam:

Listed on the accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that an exhaustive search has been made, or that there does not exist information more material to the examination of the present patent application. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will review art of record in all 35 U.S.C. § 120 priority documents.

1. This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No certification or fee is required.

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FORM PTO 1449  <u>INFORMATION DISCLOSURE STATEMENT</u>			ATTY. DOCKET NO. 966927.00005	APPLICATION NO. 10/026,911
			APPLICANT(S) FOCKE, et al.	
			FILING DATE December 27, 2001	GROUP

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA1						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AB1	EP 0 714 662	July 15, 1994				<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	AC1	WO 97/24139	September 23, 1996				<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	AD1	WO 96/27005	March 1, 1996				<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	AE1	WO 97/05258	August 2, 1996				<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AF	1	European Search Report, EP 00 12 8659.
	AG	1	M. Focke et al.; "Nonallergenic Peptides from Surface-Exposed Areas or B-Cell Epitopes of Allergens for Specific Immunotherapy", <i>Int. Arch Allergy Immunol</i> , 124: 398-399 (2001).
	AH	1	E. Ganglberger et al.; "IgE Mimotopes of Birch Pollen Allergen Bet v. 1 Induce Blocking IgG in Mice", <i>Int. Arch Allergy Immunol</i> , 124: 395-397 (2001).
	AI	1	R. Furmonaviciene et al.; "The Use of Phage-Peptide Libraries to Define the Epitope Specificity of a Mouse Monoclonal Anti-Der p 1 Antibody Representative of a Major Component of the Human Immunoglobulin E Anti-Der p 1 Response", <i>Clinical and Experimental Allergy</i> , 29: 1563-1571 (1999).
	AJ	1	E. Ganglberger et al.; "Allergen Mimotopes for 3-Dimensional Epitope Search and Induction of Antibodies Inhibiting Human IgE", <i>FASEB Journal</i> , 14: 2177-2184 (2000).

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

2. The Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.

a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56 (c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

c. Attached is our check no. \_\_\_\_\_ in the amount of \$\_\_\_\_\_ in payment of the fee under 37 C.F.R. § 1.17(p).

3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Applicants hereby petition that the Information Disclosure Statement be considered. Attached is our check no. 119322 in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p).

a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

b. I hereby certify that no item of information on this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

4. Relevance of the non-English language documents is discussed in the present specification.

5. The document(s) was/were cited in a corresponding foreign application.  A copy of a search report issued in the foreign application is attached.  An English language version of the foreign search report is attached for the Examiner's information. M.P.E.P. § 609 (A)(3).

6. A concise explanation of the relevance of the non-English language document(s)  is attached hereto or  appears below.

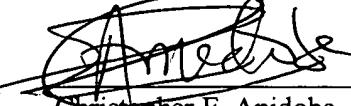
- 7. The Examiner's attention is directed to co-pending U.S. Patent Application No. \_\_\_\_ , filed \_\_\_\_ , which is directed to related technical subject matter. The identification of this U.S. Patent Application is not to be construed as a waiver of secrecy as to that application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination.
- 8. Copies of the documents were cited by or submitted to the Office in Application No. \_\_\_\_ , filed \_\_\_\_ , which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).
- 9. Other: Documents were cited in the International Search Report.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and to indicate in the official file wrapper of this patent application that the documents have been considered.

The Commissioner is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. **50-0622**

Respectfully submitted,

REED SMITH LLP

By: 

Christopher E. Anidobe  
Reg. No. 48,293

Date: 12/27/06

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**32256**  
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